



Annual Report 2018

June 2018

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1 About Us

Our purpose

- 1.1. The Legal Services Consumer Panel (the Panel) is a central feature of a regulatory framework in England and Wales, which is designed to transform the legal services market around the needs of its users.
- 1.2. Created by the Legal Services Act 2007 (the Act), we are an independent arm of the Legal Services Board (LSB). As a permanent, discrete champion for consumers, we have an essential responsibility to ensure that regulators are able to consider and act on the user perspective, putting the consumer interest at the heart of regulation.

Our vision

- 1.3. A market where everyone can access legal services that meet their needs, and where consumers are placed at the heart of regulation.
- 1.4. Our remit is to represent the interests of the many different consumers of legal services, including small businesses and charities. A core emphasis is on the needs of vulnerable consumers.

How we work

- 1.5. The Panel provides high quality, evidenced-based advice and

challenge to the LSB in order to help make decisions that are shaped around the needs of users.

- 1.6. The Panel's geographic remit is England and Wales. The Panel will remain alert to any differences in needs between the two regions and tailor our policy advice accordingly.

Who we are

- 1.7. The Panel is made up of eight lay¹ members whose appointments are approved by the Lord Chancellor. Our members' varied experience and expertise include: charitable, private and public sectors; advice provision; consumer research; trading standards; and complaints handling. Panel members are not able to be practicing lawyers. More information about the Panel members can be found on our website [here](#).

Our approach to regulation

- 1.8. We support regulation that creates the right balance between access to justice and consumer protection. We will challenge and support regulation to enable consumers to benefit from high quality services.

¹ There are currently 7 panel members.

2 Chair's Foreword

- 2.1. I am delighted to present the Consumer Panel's Annual Report for the year ending March 2018.
- 2.2. The Panel plays an important part in the regulation of legal services and we have to make the best possible use of the resources available to us to ensure that the consumer interest continues to be well served. This means that we have to focus clearly on where we can be the most influential and make the greatest impact. We do this best by gathering evidence and working closely and constructively with all the regulatory bodies and our stakeholder partners across the regulatory landscape.
- 2.3. We can be most effective if we can do this at an early stage when policy issues are being developed and new practice being established.
- 2.4. This report details the activities in which the Panel has been engaged over the past year. It is presented in a format which shows how this activity has contributed to each of our strategic aims and, the impact and influence we have made.
- 2.5. Our annual Tracker Survey continues to be a major piece of research which helps us keep the sector informed about the consumer experience, so we also provide key indicators on which we have based our work. Each of the following sections three, four, five and six set out what we said we would like to see by way of improvement and change; details activities, impact and influence; highlights key findings from the Tracker Survey and then indicates what we will do in our next business year. I hope this gives a comprehensive view of our work and the impact we have made.
- 2.6. In 2017/18 we have devoted much of our time and effort to supporting the work being done in response to the recommendations of the Competition and Markets Authority's (CMA) report. The importance of transparency and good consumer information to enable choice and so drive a competitive market has long been a concern for the Panel.
- 2.7. The interventions proposed by the CMA were a strong indictment of the absence of consumer focused regulation across the legal services sector. However, we knew that the CMA's remedies were just a catalyst for change. To be fully effective, the remedies proposed would require tenacity, drive and focus from the regulators and the oversight regulator.
- 2.8. We know that agreeing consistency and standardisation across a diverse market is not easy. But regulators and the oversight regulator need to demonstrate leadership whilst carefully considering measures most suitable to their market sector.
- 2.9. We have stayed close to the transparency agenda over the last year. It is with regret that we note that some regulators seem to be wavering on taking the steps needed for change.
- 2.10. We have continued to engage positively with stakeholders, contribute constructively to policy debates and

influence new policy proposals. Our responses always seek to strike the right balance in encouraging innovation, expanding access to justice, and consumer protection. In all these considerations we expect that the interests of consumers will be paramount.

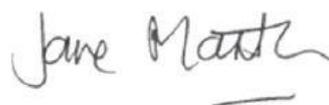
2.11. As a public body, we must also demonstrate our accountability and transparency. The concluding sections of the report show how we have spent the annual budget and give further detail of events and stakeholder meetings. We could not achieve this impressive reach without the continued commitment of Panel members and the secretariat. I am extremely grateful to them.

2.12. This is my last annual report as Chair of the Consumer Panel as I take up a new role as a lay member of the Board of the Office for Legal Complaints (OLC) in May.

2.13. I would like to take this opportunity to thank the secretariat for all their hard work and support during the year. I also wish them, my colleague Panel members, and my successor as Chair, great success in the years to come. It is essential that the consumer voice continues to be heard loud and strong to bring about the changes we would like to see.

Dr Jane Martin

Chair

A handwritten signature in black ink that reads "Jane Martin". The signature is written in a cursive style with a horizontal line underneath the name.

3 Extending Access to Justice

What we said we would like to see

- Reduced levels of unmet need for legal services.
- Improved understanding of the needs and experience of different groups of consumers.
- All sections of the population benefiting from the liberalisation reforms.
- Regulators equipped to recognise and respond well to consumer vulnerability.

What the Panel did in 2017/18

Consumer segmentation

- 3.1. The Panel has consistently said that there is no single solution to widening access to justice or meeting unmet legal needs. Instead, the sector must equip itself with different solutions, tailored to different segments of consumers. In order to do this, there has to be a better understanding of consumers' diverse needs, so that appropriate solutions can be tailored to meet those needs.
- 3.2. In 2017, the Panel published a paper² that explored how consumer segmentation can be used by regulators to improve solutions to the problems of access to justice,

risk identification, and communication, amongst other things.

- 3.3. The Panel built on this work by hosting a roundtable event which brought together frontline regulators, research companies and consumer groups. This event explored the benefits of adopting a segmentation approach, drawing on examples from other sectors.
- 3.4. We will continue to highlight the benefits of using this approach, particularly as a way of focusing regulators' priorities and resources and to meet consumers' needs.
- 3.5. We were particularly pleased to attend a board discussion with CILEx Regulation on the subject. This led to CILEx Regulation recommending that the issue should be included in the sector-wide Chief Executive Officers' meeting.

Balancing innovation and flexible service delivery with consumer protection

- 3.6. Market innovation has a role to play in extending access to justice through pioneering service delivery, technological advances and so on. In the last five years the Panel has witnessed an increase in the use of fixed fees, online divorce, TV

² Consumer Segmentation, The Legal Services Consumer Panel, March 2017.

- advertising and multi-disciplinary services. To an extent some of these can be considered innovative. But the reality, according to LSB's research³, is that the level of innovative activities remain below those in other professional services. Also, a close comparison between the research data of 2009 and 2015 shows minimal movement on the innovation scale.
- 3.7. In our view, innovation is possibly constrained by a mix of regulation, legislation, governance and culture. This means that the solution needs to be multi-faceted, including the empowerment of consumers to take an active role in the market. The current passive selection of providers by consumers with too little information on price and quality is also inhibiting innovation.
- 3.8. There is therefore a role for a number of players: providers of legal services, regulators, the LSB, and consumers. Over the last two years we have broadly welcomed significant policy and regulatory proposals by the Solicitors Regulation Authority (SRA) aimed at opening up the market. We were in broad support of the SRA's abolition of its Separate Business Rule, the review of its handbook, and the launch of its Innovation Hub. More recently, we supported the principle of allowing solicitors to work in unregulated firms.
- 3.9. We have remained close to these significant policy developments and issues by responding to consultation papers, attending stakeholders' meetings and roundtable events. We have also used our Panel meetings as a forum to initiate or advance dialogue about these important topics.
- 3.10. The Panel wants to see more market innovation, but not to the detriment of the consumer. In seeking to foster an innovative environment or establish flexible services, regulators must balance the need for access to justice with consumer protection.
- 3.11. We accept that in a competitive market consumer protection cannot be consistent across a diverse landscape. However, where consumer protection is being reduced or tiers are being introduced, the Panel will ask regulators substantial questions around quantifiable benefits, and how they are weighted against any consumer detriment. This is not an exact science, but we are keen to understand whether the benefits of improved flexibility are sufficient to offset reduction in consumer protection where this is the case. To assess this, the Panel will also consult impact assessments or other sources of evidence regulators provide.
- 3.12. We expect any evidence presented to detail: the market benefits, the quantifiable cost benefits, the likely winners and losers, and variability of impact on vulnerable consumers should this exist. And, not least, what do consumers themselves want. We also expect regulators to mitigate against the losses and risks identified.
- 3.13. We are increasingly finding ourselves responding to consultation papers that seek to widen access or establish diverse service delivery models which are accompanied by a significant reduction in consumer protection. Often these proposals add a significant level of complexity and consumer confusion to an already

³ Innovation in legal services, The Legal Services Board and the Solicitors Regulation Authority, July 2015.

complex landscape. Worryingly, the requisite evidence we need to make a fair judgement on whether the right balance has been struck is often unavailable. The economic analysis is either thin or not rooted in the reality of how consumers behave within the complex legal services sector.

- 3.14. The Panel will continue to use different avenues outside of our consultation responses and Chair's blog posts to raise these concerns. We will also continue to urge the LSB to be mindful of these issues in its rule change application assessments.
- 3.15. To this end, we were pleased to note that the SRA has taken our advice and commissioned consumer research in relation to its consideration of changes to its Professional Indemnity Insurance and Compensation Fund. We will continue to advocate for consumer research to inform significant policy proposals.

Extending the market benefiting Black and Ethnic Minority Groups

- 3.16. Our annual Tracker Survey has regularly identified a difference in the knowledge and experience of Black and Minority Ethnic (BME) groups⁴ compared to consumers from a White background. In 2016/17, we made specific recommendations to regulators asking them to undertake research into this disparity. We asked representative bodies to explore how they might address some of the gaps identified.
- 3.17. In 2017, we initiated and advanced dialogue with the Law Society about how it might meet some of the needs identified in our Tracker Survey. The Law Society has been

receptive to our idea and we look forward to the possibility of a joint project in due course.

Key findings from our annual Tracker Survey

- There is a significant difference in the proportion of BME users who have prepared for the future by preparing a will (29%) compared to White British (42%). Specifically, those from a Pakistani (13%) or Black African (12%) group were least likely to have made a will.
- 17% of young people (18-24 years old) and 19% of those from a lower social grade (C2DE) continue to have a poorer understanding of what lawyers do.
- 72% of White British consumers report it is easy to find information on regulation of services compared to 59% of BME consumers.

What next?

- 3.18. Over the next year the Panel will:
- Enhance understanding across the regulatory landscape about the different needs and experience of consumers.
 - Support affordable, diverse and flexible provision of services to meet varying needs, and highlight potential risks.
 - Carry out desk-based research on the benefits and risks of technological developments in legal services.
 - Refocus our annual Tracker Survey and use intelligence from data to

⁴ Experience of Black and Minority Ethnic groups in Legal Services.

advise, and support others to advance our objectives

- Work with the regulators to adopt and use consumer segmentation.

- Contribute to any work the LSB will undertake, following its commitment to explore this area further in its next three year strategy.

4 Equipping Consumers with Information

What we said we would like to see

- The publication of price and quality information.
- Consumers given better tools to compare providers.
- Consumers finding it easier to understand their rights, protections and routes to redress.

What we did in 2017/18

- 4.1. The Panel's call for improved transparency in legal services is well documented. Our Open Data report ⁵ called for more regulatory information and transparency around price and quality indicators. We asked each regulator to give thought to what was feasible and proportionate within their respective communities.
- 4.2. The Panel subsequently highlighted its concerns to the CMA, and we were pleased to see some of our recommendations reflected and advanced in the CMA's final report.
- 4.3. At the time, we predicted that solutions would not always be universally popular, welcomed, or straightforward. So we urged regulators to invest time and effort in understanding the challenges from both the consumer and provider perspective. In addition, we said the oversight regulator

must be robust in its support and challenge.

Our Tracker Survey highlights a stagnant market where transparency is concerned

In 2017, for the first time, we included a series of questions pertaining to transparency in our annual Tracker Survey. We found:

- 6% of consumers find price information on the provider's website.
- 61% of consumers have a conversation with their provider to determine the price.
- The perceived ease of comparison between providers has fallen from 57% in 2016 to 48% in 2017.
- 24% of consumers say they do not have a wide range of choice when choosing a provider compared to 28% in 2016.

Regulators Consultation documents following the CMA's report

- 4.4. The Panel has kept engaged with the work of the Remedies Programme and Implementation Group (RPIG). We have attended and presented at these RPIG

⁵ Opening up data in legal services, The Legal Services Consumer Panel, February 2016.

meetings, and continuously sought to focus attention on the shortcomings the CMA remedies seek to address: the lack of transparency that hinders consumer engagement and competition.

- 4.5. Between November 2017 and January 2018, we responded to six consultation documents from frontline regulators on their transparency measures. We were particularly pleased with the SRA's progressive approach in a number of areas. We were also pleased that the SRA, after extensive engagement with us and indeed other consumer groups, took on board a number of our suggestions. For example, the Panel raised concerns about the proliferation of logos in the sector. We are pleased that the SRA has decided not to develop a logo to denote the availability of a Compensation Fund alongside another logo denoting that an individual or firm is regulated. Instead, the Panel would like to see all regulators work towards a common logo that denotes the existence of a Compensation Fund and Professional Indemnity Insurance.
- 4.6. We are also pleased that regulators appear to be working well together, particularly on the development of the Legal Choices Website. However, we remain concerned about multiple approaches which threaten the effective implementation of the CMA's remedies and good consumer outcomes.
- 4.7. Although the Panel anticipated a certain degree of variation in the way transparency measures would be implemented, we are now concerned about fundamental differences in approach.

Specifically, we are concerned about any approach which positions price transparency as optional for providers. This will happen if regulators use voluntary guidance instead of prescription through rule change.

- 4.8. We are also concerned that one regulator has interpreted price transparency as the provision of pricing information on request. This goes against both the letter and spirit of the CMA's remedies. There was an explicit objective at the heart of the CMA's remedies: fostering a market where consumers are empowered to shop around, make comparisons, and as a consequence make informed decisions. Putting the onus on consumers to ask various providers for price information will not enhance shopping around.
- 4.9. Across all the consultation documents, it was also disappointing to see very little reference made to the development of quality indicators. This disappointment is further compounded by regulators' resistance to the publication of complaints data. The Panel has consistently said that price and quality information are inter-reliant. We remain concerned that this area has not been given sufficient consideration by all the regulators. We will continue to push for regulators to address this gap.

What next?

- 4.10. Over the next year the Panel will:
- Continue to support the RPIG in its drive to ensure the CMA remedies are implemented effectively.

- Host a roundtable event on how to contextualise and use complaints data
- Work with the regulators to encourage adherence to the success criteria outlined in our Information Remedies Report.⁶

⁶ Information Remedies, The Legal Services Consumer Panel, March 2017.

5 The Unregulated Market and Access to Redress

What we said we would like to see

- A better understanding of the whole legal services landscape including the unregulated market.
- Access to redress for consumers across the entire legal services market.
- A review of the reserved activities in a future legislative programme.

What we did in 2017/18

- 5.1. The Panel works within the boundaries of the Legal Services Act 2007. This informs the focus of the Panel's work. Although we recognise the wider landscape which consumers often have to navigate, we lack the capacity to be active in these areas. However, the Panel is of the firm belief that there is a place for unregulated providers in the legal services market. And in our view, unmet legal need and competition will continue to drive that necessity.
- 5.2. There is a need to ensure that consumers are aware of the differences between regulated and unregulated providers. Consumers

must know whether their consumer protection rights are reduced depending on which service provider they choose.

- 5.3. Our focus over the course of the year has been to ensure that regulators take responsibility for highlighting the existence of these differences, including what this means for consumers should things go wrong. In 2017, we focused our efforts on ensuring that the new consumer-facing website 'Legal Choices', which is currently being developed by all the regulators, explains the services that the unregulated sector provides and the consumer protection that comes with it.

Wider research shows:

- Research on conveyancing⁷ shows that consumers do not readily consider if providers are regulated when shopping around.
- When asked if solicitors are regulated most respondents assumed they were, but did not know by whom.⁸ Consumers have low levels of awareness

⁷ Price transparency in the conveyancing market, The Solicitors Regulation Authority, January 2018.

⁸ Consumer behaviour research, The Law Society, November 2017.

about regulation and what protections regulation provides. For example, participants mentioned the Financial Conduct Authority as the regulatory body for legal services.⁹

- Consumers thought the differences between regulated and unregulated providers were their qualifications, level of specialism and expertise.¹⁰
- 52% of small businesses who did not check for regulation status said that they did not do so because they simply assumed that the provider would be regulated. 25% of small businesses did not think that regulation was important. Just 10% of those that did not check

already knew whether or not their main provider was regulated.¹¹

What next?

5.4. Over the next year Panel will:

- Continue to make the case for clear information at the point of need to clarify the differences between regulated and unregulated providers.

⁹ Ibid.
¹⁰ Ibid.

¹¹ The legal needs of small businesses 2013-2017, The Legal Services Board, February 2018.

6 Improving the Regulatory and Complaints System

What we said we would like to see

- A world-class ombudsman scheme.
- Regulators equipped to deal with the commercial practices and digital detriments that are likely to be features of the modern market.
- Complaints intelligence used to inform standards.

What the Panel did in 2017/2018

Our Tracker Survey shows

- 5.5. The number of people who had a complaint but did nothing, 'silent sufferers', dropped from 42% in 2015 to 35% in 2016. But this figure rose to 49% in 2017, suggesting that the 2016 figure was an anomaly.
- 5.6. We note once again that the number of silent sufferers in legal services is unacceptable and at the point where regulators and indeed the oversight regulator should address the issue. The average level of silent sufferers across other sectors stands at around 25%.
- 5.7. Our Tracker Survey also found that confidence in complaining about a lawyer (44%) is lower than confidence in complaining about banks (55%) and mobile phone companies (51%). People from a

higher social grade are more confident in complaining about a lawyer (ABC1, 48%) than those from a lower social grade (C2DE, 35%). There is however no major difference in levels of confidence between those from a White British background (46%) and BME groups (42%).

- 5.8. Knowledge of what lawyers do appears to be a key factor in having confidence to make a complaint. Those with greater knowledge of what lawyers do are more confident in complaining (61%) than those with limited or no knowledge (25%).

Research by the SRA and the Legal Ombudsman

- 5.9. The Panel is pleased to note the research collaboration between the SRA and Legal Ombudsman (LeO) into the experience of people making complaints about solicitors' legal services that drew on our Tracker Survey.
- 5.10. The research found that the most common barriers to making a complaint relate to people having the confidence and information to proceed. There are also concerns about whether the solicitor will handle the complaint fairly or take notice.

- 5.11. Worryingly, the research found that only 34% of firms provide information about LeO at the end of the complaint process. And 51% of firms do not signpost people to Alternative Dispute Resolution (ADR) agencies to resolve complaints, despite this being a requirement under Directive 2013/11/EU of the European Parliament.
- 5.12. The Panel is pleased to see that consumer views in the same research overwhelmingly justified our push for the publication of complaints data. 91% of consumers said that having access to a firm's complaints data would be helpful to them. Interestingly, we note that 36% of firms also believe publishing complaints data will demonstrate that they deliver a good service.
- 5.13. At present none of the legal services regulators publish first tier complaints data, even though research in other sectors shows consumers and their representatives, including intermediaries, use it.
- 5.14. The Panel has always recognised that there are challenges with publishing complaints data. We were pleased to see the SRA publish a discussion paper and then a consultation paper on how it might publish meaningful information which does not unnecessarily prejudice businesses. We are concerned, however, that the strength of opposition from providers responding to the SRA consultation is leading to a retreat in this very important step forward.

Ombudsman standards

- 5.15. In 2016, the Panel accepted an invitation by the Ombudsman Association¹² to sit on its steering

group to develop Performance Standards that set out good practice for the Ombudsman sector.¹³ Members who choose not to adopt these standards are expected to publish the standards they operate to instead.

- 5.16. The Performance Standards were published in 2017, effective from May 2017.
- 5.17. We saw our involvement in this work as a way of influencing key performance standards for the Legal Ombudsman.
- 5.18. The Panel pushed for a focus on accessibility, communication, fairness, professionalism and transparency.
- 5.19. We also said that members of ombudsman schemes should assess and report on their performance towards meeting the standards and publish this on a regular basis, at least annually.
- 5.20. It is particularly encouraging that our specific push for ombudsman schemes to use the intelligence they gather to improve practice across the sector was accepted. Likewise, our efforts to ensure that the needs of vulnerable consumers were met was reflected in the commitment that ombudsmen should work with complainants to understand their needs, in order for complainants to access their service easily.

Vulnerable consumers

- In 2017, the Panel was invited to sit on the Bar Standards Board's (BSB) Vulnerable Guidance Taskforce. The BSB had identified, through research, that the majority of non-professional clients seeking immigration advice would be vulnerable in some way.

¹² www.ombudsmanassociation.org/

¹³ Note membership

- A practical guide to help barristers understand these vulnerability factors which ranged across trauma, cultural barriers, gender-based persecution, fear of sudden deportation and fear of children being taken out of school, was recognised as being imperative to providing services that meet consumers' needs.
- This is the first example of a regulator producing a practical and tailored vulnerability guide for a specialist area of legal service. We were therefore pleased to take part and share our knowledge with the BSB.

What next?

5.21. Over the next year the Panel will:

- Work with regulators to explore how first-tier complaints data could be published.
- Work with LeO on how to use its intelligence to raise standards in complaints handling across the sector.

7 Transparency

Committed to transparency

- 7.1. The Panel is committed to transparency. Below we list details of our expenditure and outputs for the past year.

Expenditure

- 7.2. The Consumer Panel is supported by a small policy secretariat and is funded by the LSB as part of its annual levy on the approved regulators. Our budgeted costs for the year ending 31 March 2018 were £215,944 (see Table 1 overleaf for a breakdown).
- 7.3. Details of members' expenses are available on the Panel's website.

Attendance

- 7.4. The Panel held six formal meetings this year. The attendance of each Panel member is outlined based on the number they were eligible to attend:

Dr Jane Martin CBE - 6/6

Andy Foster – 5/6

Cathy Gallagher - 5/6

Dr Michelle Goddard - 4/6

Frances Harrison – 6/6

Marlene Winfield OBE - 6/6

Mark McLaren - 6/6

Activities and outputs

- 7.5. A list of the Panel's activities can be found at the back of this document. This can be summarised as follows:
- Policy and research reports - 10
 - Consultation responses – 19
 - Speeches and presentations – 10
 - Events hosted by the Panel – 2
 - Ongoing committees/working groups – 4
 - News releases – 2
 - Blog posts – 2
 - Stakeholders met by members – 20

Table 1 – Breakdown of Panel expenditure in 2017/18

Category	2016/17	2017/18
Panel Fees and Secretariat	159,394	171,447
Research	30,107	41,075
Travel	2,419	3,221
Training	0	0
Subscriptions/office costs	359	136
Catering/room hire	109	65
Total	192,388	215,944*

* Expenses increased in 2017/18 because the Panel recruited a Panel member to replace a former member. In 2017/18, we also received a one-off boost in our research budget from the Legal Services Board, this enabled us to double the sample size of users of legal services in our annual Tracker Survey.

8 Consumer Panel's activities

Policy and consumer research reports

1 December 2017	Segmentation Roundtable Minutes - Segmenting consumers for better regulation in legal services.
22 November 2017	Segmentation Policy Brief
22 November 2017	Open Data Policy Brief
1 November 2017	Tracker Survey 2017 - Briefing note - Market transparency in legal services
1 November 2017	Tracker Survey 2017 - Briefing Note - Wales
1 November 2017	Tracker Survey 2017 - Briefing Note - Wales (Welsh language version)
18 July 2017	Tracker Survey 2017: How consumers are using legal services
18 July 2017	Tracker Survey 2017: How consumers are choosing legal services
18 July 2017	Tracker Survey 2017 - data tables for recent users
18 July 2017	Tracker Survey 2017 - data tables for general public sample

Consultation responses

16 February 2018	LSB – Consultation response to draft Strategy 2017–21 and Business Plan 2018/19
15 January 2018	BSB - Consultation response on Future Bar Training
5 January 2018	BSB - Consultation response on the implementation of CMA's legal services market study recommendations
5 January 2018	IPReg - Consultation response on the implementation of CMA's legal services market study recommendations
5 January 2018	SRA - Consultation response on the second Handbook review
21 December 2017	CLC - Consultation response on the implementation of CMA's legal services market study recommendations
21 December 2017	CILEx Reg - Consultation response on the implementation of CMA's legal services market study recommendations
20 December 2017	SRA - Consultation response on the implementation of CMA's legal services market study recommendations
30 November 2017	MoF - Consultation response on the implementation of CMA's legal services market study recommendations
20 November 2017	CILEx Reg - Licensing Authority Application consultation
8 November 2017	Law Commission – Consultation on Wills reform
4 October 2017	BSB – Consultation response to Public and Licensed Access Review

28 September 2017	SRA - Consultation response to the Corporate Strategy
22 September 2017	LSB - Consultation response to the LSB's revised Regulatory Performance Standard
14 September 2017	BSB - Consultation on rule change: New information and registration requirements for the Bar
25 July 2017	SRA - Panel's consultation response to SRA's new regulations for the Solicitors Qualifying Examination (SQE)
11 July 2017	BSB - Review of the standard of proof applied in professional misconduct proceedings
2 May 2017	CILEX Reg - Transitioning towards an insurance backed compensation scheme
28 April 2017	CMA - Digital Comparison Tools market study: response to updated paper

Speeches and presentations

24 January 2018	Westminster Legal Policy Forum Keynote Seminar - Innovation in the legal services market
11 December 2017	Meeting with Baroness Dianne Hayter - Brexit and Consumers
29 November 2017	Westminster Legal Policy Forum Keynote Seminar - Quality assurance and standards in legal services
16 October 2017	Meeting with Baroness Dianne Hayter - Brexit and Consumers
12 October 2017	Cilex Regulation - Board Discussion and presentation on Consumer Segmentation
12 July 2017	Discuss consumer needs and concerns with OLC Board
10 July 2017	Meeting with Baroness Dianne Hayter - Brexit and Consumers
31 May 2017	Discuss consumer needs and concerns with SRA Board
23 May 2017	CLC - Conveyancing Roundtable
26 April 2017	SRA Innovation Conference – Panel discussion on consumer needs

Ongoing committees and working groups

Legal Services Board Research Strategy Group

Legal Regulators Research Forum¹⁴

Regulators' Forum¹⁵

Consumer Panel Chairs regular meetings

Events hosted by the Panel

23 November 2017 Joint stakeholder event with LSB, and the Bristol Law Society in Bristol

15 November 2017 Consumer Segmentation Roundtable

News releases

1 November 2017 Regulators must not waver on improved transparency

18 July 2017 The pace of change must intensify in the consumer interest

Blog posts

22 November 2017 **Price Transparency, shifting the culture**
Dr Jane Martin

14 August 2017 **Much ado about something**
Dr Jane Martin

¹⁴ A forum for all the legal regulators to meet and discuss the research each organisation is undertaking. It is focused solely on research.

¹⁵ A forum for discussion of common issues between regulators, LSCP, and LeO. This meeting is broader than research.

Stakeholder engagements

The Panel meets with key stakeholders regularly to discuss regulatory issues and share our concerns. These meetings are often held at Chief Executive Officer and/or at Chair of organisations level.

In 2017/18, the Panel prioritised stakeholder meetings to discuss the CMA's assessment of the legal services sector. Officials from regulatory bodies and the Chair of RPIG also attended Panel meetings to discuss regulators response to the transparency agenda. Panel representatives have also participated in two roundtable events hosted by the CMA.

The Chair has had several meetings with other Consumer Panel Chairs, and she has also attend three meetings on the exit of the United Kingdom from the European Union.

Stakeholders meetings

Association of Probate Researchers	LawWorks
Bar Standards Board	Legal Ombudsman/Office for Legal Complaints
Bar Council	Legal Services Board
Chartered Institute of Legal Executives	Legal Choices Steering Group
CILEx Regulation	Ministry of Justice
Council for Licensed Conveyancers	Office of the Immigration Services Commissioner
Competition and Markets Authority	Professional Paralegal Register
Consumer Panel Chairs Group	Research Strategy Forum
Baroness Dianne Hayter	Remedies Programme Implementation Group
Law Society	Solicitors Regulation Authority

9 Terms of reference

Purpose

- 1 The Consumer Panel is established by the Act 2007. The Panel contributes towards the achievement of the regulatory objectives by representing the interests of legal services consumers. The Panel acts independently of the LSB and the OLC.
- 2 The Panel is deliberately comprised of members who are able to provide evidence of the experience of the wide range of consumers of legal services. The Panel will prioritise its work around those consumers who it considers are less able to give voice to their own interests. The Panel will have particular regard to the interests of consumers who may be in a position of vulnerability when using legal services.
- 3 The principal focus of the Panel will be on activities falling within the jurisdiction of the LSB and the OLC. However, the Panel will also have a remit on legal services matters that do not fall within the remit of the LSB or the OLC.
- 4 The Panel has an advisory role and does not have decision-making responsibilities. The key activities of the Panel are (in no order of importance):
 - (a) To help the LSB and the OLC to understand fully, and take account of the interests of consumers in its policy development and decisions;
 - (b) To respond to relevant consultations as appropriate;
 - (c) To carry out research, as agreed with the LSB, and gather other intelligence and evidence to understand the consumer experience of the legal services market;
 - (d) To provide the LSB and the OLC with feedback from a consumer perspective on the effectiveness of its policies and practices;
 - (e) To help the approved regulators develop their own approach to consumer engagement to inform their work;
 - (f) To speak out publicly on behalf of consumers as appropriate in order to positively influence outcomes for consumers of legal services; and
 - (g) To maintain an overview of developments in the legal services market, and related developments affecting consumers in other markets, in order to best deliver the other activities listed above.

Procedure

- 5 Panel members are appointed by the LSB, with the approval of the Lord Chancellor, in accordance with Nolan principles, to represent the interests of consumers.
- 6 The Panel shall determine its ways of working, and may appoint sub-committees and make other arrangements for regulating its procedure. Sub-committees may include persons drawn from outside of the Panel, but all sub-committees shall include at least one member of the Panel.
- 7 The Panel and the LSB shall agree an annual programme of work for the Panel. The Panel may carry out such additional work, as agreed with the LSB, in response to developments in the legal services market.

- 8 The Panel shall ordinarily publish its representations, advice and research. However, it may choose not to publish its representations, advice and research if it considers that to do so would be likely to impact adversely on the interests of consumers.
- 9 The Panel shall publish the agenda and minutes of its meetings.
- 10 The Panel shall publish an Annual Report on its work.
- 11 The Panel and LSB shall review the Panel's terms of reference annually.



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